

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC, and Bernard L. Madoff,

Plaintiff,

v.

CATHAY UNITED LIFE INSURANCE CO., LTD.:
ET AL,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY
DCS #:
DATE FILED: 1/30/13

Adv. Pro. No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 11-02568 (BRL)

Case No. 12-03489

CONSENT ORDER

WHEREAS, on September 1, 2011, Irving H. Picard, as Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (the "Trustee") initiated an adversary proceeding, assigned case no. 11-02568-brl, against the Defendants Cathay Life Insurance Co., Ltd. and Cathay United Bank (collectively, the "Defendants")¹ in the Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"); and

¹ The adversary proceeding was voluntarily dismissed with respect to Cathay United Bank on August 8, 2012 in the Bankruptcy Court. On January 15, 2013, the parties submitted with the Clerk of this Court a Stipulation and Order withdrawing the joinder of Cathay United Bank in Cathay Life Insurance Co., Ltd.'s Motion to Withdraw the Reference and ordering that Cathay United Bank shall no longer be subject to the consolidated briefing orders in case no. 12-MISC-00115, and deeming Cathay United Bank removed from the relevant exhibits to those orders.

WHEREAS, on March 29, 2012, Cathay Life Insurance Co., Ltd. filed with the Bankruptcy Court a Motion to Withdraw the Reference of the adversary proceeding, to which Cathay United Bank filed a joinder (collectively, the "Motion"); and

WHEREAS, on April 13, 2012, this Court entered an order in case no. 12-MISC-00115 requiring that all matters relating to Bernard L. Madoff Investment Securities LLC previously assigned to this Court or assigned to this Court in the future shall bear the caption and docket number set forth therein, and that parties shall make sure that all filings are filed under the foregoing docket number; and

WHEREAS, on May 2, 2012, the Motion was filed with the District Court for the Southern District of New York, and was assigned civil case no. 12-03489, to this Court as related to case no. 11-cv-3605; and

WHEREAS, on June 6, 2012, this Court entered an order dismissing case no. 11-cv-3605 with prejudice following approval of the settlement agreement; and

WHEREAS, the parties herein have treated this case as related to case no. 12-MISC-00115, the Defendants have participated in certain of the consolidated pleadings filed in case no. 12-MISC-00115, and this Court has included the Defendants in certain of the orders entered in case no. 12-MISC-00115; and

WHEREAS, it recently came to the parties' attention that this case has not been officially identified in the Court's docket as related to case no. 12-MISC-00115; and

WHEREAS, the parties consent to the Court including, and desire that the Court so include, this case no. 12-03489 as related to case no. 12-MISC-00115.


IT IS HEREBY ORDERED that the above-captioned action shall be designated as related to case no. 12-MISC-00115; and it is further

ORDERED, that any and all pleadings filed and any and all orders entered in case no. 12-MISC-00115, to the extent they would have otherwise been applicable to the Defendants but for the fact that case no. 12-03489 had not been officially designated as related to case no. 12-MISC-00115, shall be deemed to have applied to the Defendants; and it is further

ORDERED, that the Clerk is directed to file this Order in both docket nos. 12-03489 and 12-MISC-00115.

Dated: January 29, 2013
New York, New York

SO ORDERED



HON. JED RAKOFF
UNITED STATES DISTRICT JUDGE